



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.2036 of 2022

1. Dharma Muneeswaran
2. Ganapathi
3. Panjavarnam

... Petitioners/Accused Nos.1 to 3

Vs

1. The State rep.by
The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.
(Crime No.280 of 2021).

... Respondent/Complainant

2. Nithya

... 2nd Respondent

(*)R2 Suo Motu impleaded as per
order of this Hon'ble Court
dated 22.02.2022 in Crl.OP(MD)
No.2036/2022 By GIJ.

For Petitioners : M/s.SATHYACHIDAMBARAM.S,
Advocate.

For Respondent 1 : Mr.M.VAIKKAM KARUNANITHI,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Cr.No.280 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 294(b),
323 and 498(A) of IPC, in Crime No.280 of 2021 on the file of the
respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the marriage was
solemnized on 12.09.2018 between the defacto complainant and first
petitioner at Karaikudi in the presence of the both family members
and elders. Thereafter, a difference of opinion arose between the
first petitioner and the defacto complainant's father, over which,
the petitioners abused the defacto complainant and also harassed
her. On the date of occurrence also, the accused Nos.1, 2 and 3 were



assaulted the defacto complainant and criminally intimidated. Thereafter, the defacto complainant registered the case against these petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Considering the dispute between the husband and wife, on the earlier occasion, this Court referred the matter to the mediation, the first petitioner appeared in twice, but the defacto complainant appeared only one time and thereafter, she did not appear. He would further submit that the first petitioner paid a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the defacto complainant for maintenance and he also produced the copies of the cheque.

4. Heard the learned Government Advocate (Crl.Side) appearing for the respondent police.

5. On perusal of CD file, it shows that suppressing all these facts, another FIR in Crime No.25 of 2022 also registered against the petitioners by the defacto complainant over the issue of demand of dowry.

6. Considering the facts and circumstances of the case and also the limited role that has been alleged by these petitioners, this Court is inclined to grant anticipatory bail to the petitioners, however, with stringent conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate Paramakudi, Ramanathapuram District, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned; and the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

9. The first petitioner must continue to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the defacto complainant as monthly maintenance.

sd/-

15/07/2022

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/07/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE
PARAMAKUDI, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
CHATRAKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.2036 of 2022

Date :15/07/2022

SA/VR/SAR.1/27.07.2022/3P/5C